

10/23/98

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**REGISTERED PATENT AGENTS

October 23, 1998

WRITER'S DIRECT NUMBER:
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Assistant Commissioner for Patents
Washington, D.C. 20231

Box Patent Application

Re: U.S. Non-Provisional Utility Patent Application under 37 C.F.R. § 1.53(b)
 Appl. No. To be assigned; Filed: Herewith
 For: **Recombinational Cloning Using Nucleic Acids Having Recombination
 Sites**
 Inventor(s): HARTLEY et al.
 Our Ref: 0942.2850004/RWE/BJD

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. PTO Utility Patent Application Transmittal Form (PTO/SB/05) (*in duplicate*);
2. U.S. Utility Patent Application entitled:

Recombinational Cloning Using Nucleic Acids Having Recombination Sites

and naming as inventors:

James L. HARTLEY
Michael A. BRASCH
Gary F. TEMPLE
Donna K. FOX

Assistant Commissioner for Patents

October 23, 1998

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the application consisting of:

- a. A specification containing:
 - (i) 89 pages of description prior to the claims;
 - (ii) 10 pages of claims (51 claims);
 - (iii) a one (1) page abstract;
 - b. 58 sheets of drawings: (Figures 1, 2A-2F, 3A-3F, 4A-4F, 5A-5H, 6A-6B, 7A-7D, 8A-8K, 9A-9C, 10A-10D, 11A-11C, and 12A-12D);
 - c. A paper copy of sequence listing;
 - d. An executed Declaration;
3. PTO Fee Transmittal Form PTO/SB/17 (*in duplicate*);
 4. Authorization to Treat a Reply As Incorporating An Extension of Time Under 37 C.F.R. § 1.136(a)(3) (*in duplicate*);
 5. An executed Power of Attorney from Assignee;
 6. A Certificate under 37 C.F.R. § 3.73(b) from Assignee with a copy of the Assignment attached;
 7. A computer readable copy of the sequence listing;
 8. Two (2) return postcards; and
 9. Our check No. 22972 for \$ 2,686.00 to cover:

\$ 790.00	Filing fee for patent application; and
\$ 1,896.00	Fee for excess claims.

In accordance with 37 C.F.R. § 1.821(f), the paper copy of the sequence listing and the computer readable copy of the sequence listing submitted herewith in the above application are the same.

Assistant Commissioner for Patents
October 23, 1998
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It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Brian J. Del Buono
Agent for Applicants
Registration No. 42,473

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Please type a sign(+) in this box



PTO/SB/05 (2/98)

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Approved for use through 09/30/2000. OMB 0651-0032
Plays a valid OMB control number.

Under the Paperwork Reduction Act of 1995, persons are required to respond to a collection of information un-

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR § 1.53(b))

Attorney Docket No.	0942.2850004/RWE/BJD
First Inventor or Application Identifier	Hartley
Title	Recombinational Cloning Using Nucleic Acids Having Recombination Sites
Express Mail Label No.	

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ * Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)

2. ☒ Specification [Total Pages 100]

- (preferred arrangement set forth below)
- Descriptive title of the invention
 - Cross References to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure

3. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 58]

4. ☒ Oath or Declaration [Total Pages 3]

a. ☒ Newly executed (original or copy)

b. ☐ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional with Box 17 completed) [Note Box 5 below]

i. ☐ DELETION OF INVENTOR(S)

Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR §§ 1.63(d)(2) and 1.33(b).

5. ☐ Incorporation By Reference (useable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.

6. ☐ Microfiche Computer Program (Appendix)

7. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

a. ☒ Computer Readable Copy

b. ☒ Paper Copy (identical to computer copy)

c. ☒ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

8. ☐ Assignment Papers (cover sheet & document(s))

9. ☒ 37 CFR 3.73(b) Statement (when there is an assignee) ☒ Power of Attorney

10. ☐ English Translation Document (if applicable)

11. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations

12. ☐ Preliminary Amendment

13. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)

14. ☐ *Small Entity Statement(s) (PTO/SB/09-12) ☐ Statement filed in prior application, Status still proper and desired

15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)

16. ☒ Other: 37 C.F.R. § 1.136(a)(3) Authorization

☐ Other:

*NOTE FOR ITEMS 1 & 14: IN ORDER TO BE ENTITLED TO PAY SMALL ENTITY FEES, A SMALL ENTITY STATEMENT IS REQUIRED (37 C.F.R. § 1.27), EXCEPT IF ONE FILED IN A PRIOR APPLICATION IS RELIED UPON (37 C.F.R. § 1.28).

17. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment:

☐ Continuation

☐ Divisional

☐ Continuation-in-Part (CIP) of prior application No: ____/____

11/27/1998 TSUBES 00000011 190036 09177387

01 FC:103 132-00 CH

Group/Art Unit: _____

18. CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☒ Correspondence address below

NAME	STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.				
	Attorneys at Law				
ADDRESS	Suite 600, 1100 New York Avenue, N.W.				
CITY	Washington	STATE	DC	ZIP CODE	20005-3934
COUNTRY	USA	TELEPHONE	(202) 371-2600	FAX	(202) 371-2540

NAME (Print/Type)	Brian J. Del Buono	Registration No. (Attorney/Agent)	42,473
SIGNATURE		Date	October 23, 1998

Burden Hour Statement: this form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HARTLEY et al.

Appl. No. To be assigned

Filed: Herewith

For: **Recombinational Cloning Using
Nucleic Acids Having
Recombination Sites**

Art Unit: To be assigned

Examiner: To be assigned

Atty. Docket: 0942.2850004/RWE/BJD



#2

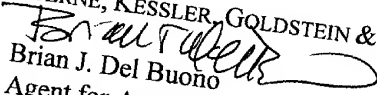
**Authorization To Treat A Reply As Incorporating An Extension Of Time
Under 37 C.F.R. § 1.136(a)(3)**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

The U.S. Patent and Trademark Office is hereby authorized to treat any concurrent or future reply that requires a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. The U.S. Patent and Trademark Office is hereby authorized to charge all required extension of time fees to our Deposit Account No. 19-0036, if such fees are not otherwise provided for in such reply. A duplicate copy of this authorization is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Brian J. Del Buono
Agent for Applicants
Registration No. 42,473

Date: October 23, 1998

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